

**AMUSEMENT/RECREATION – COMMERCIAL:** Means establishments that provide recreational activities and which may include gathering areas and incidental eating areas. Typical uses include archery ranges, basketball courts, batting cages, bowling alleys, commercial swimming pools, go-kart racetracks, indoor/outdoor commercial recreation centers, miniature golf courses, skating rinks, and tennis courts. This use does not include arcades, billiard parlors, or professional golf course/driving ranges.

~~**ANIMAL HOSPITAL:** Means the same as "Hospital, Animal."~~

**ANIMAL PROCESSING:** Means the processing of meat products and by-products directly from live animals or offal from live animals.

**ANIMAL SERVICES:** Means establishments that provide care and services for animals, including day care, grooming and medical/surgical treatment. Includes overnight care only in conjunction with medical treatment. Commercial boarding with overnight care is classified as a Kennel.

**APARTMENT:** Means the same as "Dwelling Unit."

**APARTMENT HOUSE:** Means the same as "Dwelling, Multiple Family."

**APPROVED PLASTIC MATERIALS:** Shall mean those plastic materials other than foam plastics regulated under Sections 1705(e) and 1713 of the Uniform Building Code (UBC) which have a self-ignition temperature of 650°F or greater and a smoke density rating not greater than 450 when tested in accordance with UBC Standard No. 42-1, in the way intended for use, or a smoke density rating no greater than 75 when tested in the thickness intended for use by UBC Standard No. 52-2.

**ARCADE:** Means an establishment maintaining four (4) or more amusement machines, including video games, on the premises for use by its customers or visitors.

**AREA OF LOT:** Means the total horizontal area included within the lot lines. For purposes of calculating density, "area of lot" shall exclude any land previously dedicated for a public street easement or right-of-way, or alley easement or right-of-way.

~~**AUTOMOBILE DETAILING:** Means a service dealing with the cleaning of automobiles/vehicles including any of the following: interior cleaning; exterior handwashing, waxing and polishing; or engine steam cleaning.~~

**BEDROOM:** Shall include any room that is designed or intended to be used or is capable of being used as a bedroom in whole or in part.

**BILLBOARD:** Means the same as "sign, advertising."

**BILLIARD PARLOR:** Means an establishment maintaining three (3) or more billiard tables on the premises for use by its customers or visitors.

**BILLIARD TABLE:** Means any game table or similar device designed, intended or used for the playing of billiards, pool, bumper pool, snooker, bagatelle or any similar game.

**BLOCK:** Means the property abutting one side of a street between intersecting or intercepting streets, or in the case of a dead-end street the property between the end thereof and the first intersecting or intercepting street.

**BOARD:** Means the City Planning Board of the City.

**BOARDING HOUSE:** Means a building containing a single dwelling unit, where lodging with or without meals is provided for compensation.

**BUFFER AREA:** Means an area not occupied by above grade structures or encroachments, driveways (except as allowed by Conditional Use Permit), refuse facilities, patios, porches, balconies, or recreational amenities.

**BUILDING:** Means any structure having a roof supported by columns or walls, which is designed or used as an enclosure or shelter.

**BUILDING DIRECTOR:** Means "Director".

**BUILDING HEIGHT:** Means the vertical distance measured from Grade to the ceiling of the highest room permitted for human occupancy, except in the R-1 and R-1-H zones where the vertical distance is measured as provided in Section 10-1-603.

**BUILDING MATERIAL SALES:** Means establishments that sell a variety of construction materials and home improvement materials, including but not limited to drywall, fixtures, landscaping/garden materials, lumber, paint, windows, and doors. Outdoor display and storage of products is also permitted. Hardware stores selling a limited range of tools and supplies, but not construction materials, are classified under "General Retail Sales."

**BUILDING MOUNTED WTF:** Means a wireless telecommunications facility whose support structure is mounted to a building or rooftop.

**BUILDING OFFICIAL:** Means "Director".

**BUILDING SUPERINTENDENT:** Means "Director".

**CARNIVAL:** Means an event held for the purposes of public entertainment or non-profit fund raising, which include either one or both of the following: the sale of alcoholic beverages for on-premises consumption; mechanical amusement rides.

**CARPORT:** Means an accessory structure designed or used to shelter motor vehicles permanently roofed and enclosed from the ground up on three (3) sides by an opaque wall to the extent of two-thirds (2/3) or more of its height.

**CAR WASH:** Means establishments that clean, wash, wax, polish, and vacuum automobiles. This use does not include auto body work, electrical or mechanical repair, or painting.

**CEMETERY:** Means a facility used for the burial or interment of the dead, and may include activities related to preparation for burial or interment. Typical uses include crematoriums, cinerariums, columbariums, and mausoleums.

~~**CEMETERY USE:** Means any use which is permitted by Section 10-1-907 of this chapter.~~

**CHILD DAY CARE FACILITY:** Means any facility as defined in Section 1596.750 of the California Health and Safety Code, and as amended from time to time, except for a family day care home, which is defined separately herein.

**CHURCH:** Means a permanent, fully enclosed building designed and used for religious worship.

~~**CLINIC:** Means a place used to provide medical services not involving overnight housing of patients.~~ Means the same as "Offices – Medical."

**CLUB:** Means an association of persons organized for some common, nonprofit purpose, but does not include any group organized primarily to render a service which is customarily carried on as a business.

**COCKTAIL LOUNGE/BAR:** Means a saloon, bar, pub, tavern or similar place used primarily for drinking alcohol and designed for social interaction and/or entertainment.

**CO-LOCATION:** Means the location of two or more wireless telecommunications facilities on a single freestanding support structure or building. Co-location shall also include the location of wireless telecommunications facilities with other utility facilities and structures including, but not limited to, water tanks, transmission towers, and light poles.

**COMMERCIAL USE:** Means any use which is permitted by Sections 10-1-702, 10-1-709, 10-1-715 and 10-1-721 of this chapter.

**COMMUNITY CARE FACILITY:** Means a state-authorized, certified or licensed family care home, foster home, or group home providing care for the mentally or physically disabled and for children and adults who require special care or services. Such facilities include non-hospital type care for the mentally and physically handicapped, residential care facilities for the elderly or persons with chronic life threatening illness, alcohol or drug abuse recovery or treatment facilities, intermediate care facilities for the developmentally disabled and congregate living health facilities.

**CONSTRUCTION:** Shall mean any site preparation (including demolition, excavation and grading), assembly, erection, alteration or similar action, for or of public or private right-of-way, buildings, structures, utilities or similar property."

**CONSTRUCTION EQUIPMENT:** Shall mean any pile driver, power shovel, pneumatic hammer, power-driven drill, riveting machine, excavator, derrick power hoist, helicopter, forklift, cement mixer, diesel-powered truck, tractor, or any other earthmoving equipment. It shall also include hand hammers on steel or iron, or any other similar type of machine, tool, device or equipment which makes noises exceeding the decibel level allowed within the project's zone during the hours of construction.

CONTIGUOUS: Means the same as "Abut".

~~CONVALESCENT HOME: Means a facility for the accommodation of convalescents or other persons who are not acutely ill and are not in need of hospital care, but who require professional nursing and related medical services including care during and after pregnancy; a convalescent home may be operated in conjunction with a hospital, or may be a separate facility in which such nursing care and medical services are prescribed by or are performed under the general direction of persons licensed to practice medicine or surgery in this State. Means the same as "Extended Care Facility."~~

CORNER CUTOFF AREA: Means a portion of a corner lot or parcel of land which is maintained in a manner to provide adequate and safe visibility for vehicular and pedestrian traffic wherever streets and alleys converge.

CORPORATE FLAG: Shall mean a flag identifying a business or company.

CUSTOM MANUFACTURING: Means the manufacturing of products that are usually handmade and/or are made in small-scale enclosed workshops, involving the use of hand tools, the use of domestic mechanical equipment, or a kiln. This category also includes incidental direct sale to customers of only those goods produced on the site. Examples include clay products, glass blowing, jewelry, leatherworking, metalworking, and woodworking.

CURB LEVEL: Means the level of the established curb at the center of the front of the building.

DAY CARE CENTER: Means any child day care facility as defined in Section 1596.750 of the California Health and Safety Code other than a family day care home.

DESIGNATED HISTORIC RESOURCE: Means any Resource that has special character or aesthetic value in the historic, cultural, architectural, archaeological, or social heritage of the City of Burbank; and that has been approved by the City Council as meeting at least one (1) of the City's designation criteria provided in Section 10-1-926.

DIRECTOR: Means the Director of the Community Development Department of the City, or the designee or designees of such person, or such other persons as may be designated by the City Manager.

DOWNTOWN RESTAURANTS: Means any restaurant/eating establishment/drinking establishment/fast-food/cafe located in the Central Business Downtown Parking Area defined in Sec. 10-1-1407.1.

DRIVEWAY: Means a paved access from a street or alley to a garage, carport or other parking area; a driveway may include the space required to turn or maneuver a motor vehicle into and out of such parking area.

~~DRY CLEANERS: Means an establishment maintaining fabric cleaning machines each of which has a dry-load capacity of 50 pounds or less, and which uses only nonpetroleum solvents.~~

~~DRY CLEANING PLANT: Means an establishment maintaining fabric cleaning machines,~~

~~one (1) or more of which have a dry-load capacity in excess of 50 pounds, and which uses only non-petroleum solvents.~~

DWELLING, GUEST: Means separate living quarters having no kitchen facilities, in an accessory building, used by temporary guests of the occupants of the main building and not rented or otherwise used as a separate dwelling.

DWELLING, MULTIPLE FAMILY: Means a residence consisting of two (2) or more dwelling units designed for occupancy by two (2) or more families living independently of each other.

DWELLING, SINGLE FAMILY: Means a residence designed for use by a single family.

DWELLING UNIT: Means any building or portion thereof which contains living facilities, including provisions for sleeping, eating, cooking and sanitation, for not more than one (1) family.

EFFICIENCY DWELLING UNIT: Means a dwelling unit not more than 500 square feet in area, conforming in all other ways to the Uniform Building Code as adopted in Burbank Municipal Code Title 9.

ELECTRONIC HOME DETENTION PROGRAM/FACILITY: Means a facility or business which administers electronic home detention services established under California Penal Code Section 1203.016, and as that section may be amended from time to time (also known as the Mojonier-Ayala Electronic Home Detention Act).

ELIGIBLE HISTORIC RESOURCE: Means a Resource that has been identified by the Director as potentially meeting at least one (1) of the City's designation criteria but has not yet been approved as a Designated Historic Resource. The Resource may also be eligible for designation at the state or national level.

ELIGIBLE OFF-SITE HAZARDOUS WASTE FACILITY: Operation involving handling, treatment, storage or disposal of a hazardous waste in one (1) or more of the following situations:

1. The hazardous waste is transported via commercial railroad, a publicly-owned road or public waters, where adjacent land is not owned by, or leased to, the producer of the waste.

2. The hazardous waste is at a site which is not owned by, or leased to, the producer of the waste.

3. The hazardous waste is at a site which receives hazardous waste from more than one (1) producer.

Eligible Off-Site Hazardous Waste Facilities shall be located within the industrial area as designated on the map in Appendix 6-D of the Los Angeles County Plan, and are subject to the provisions of Section 9-3-118.

ELIGIBLE ON-SITE HAZARDOUS WASTE FACILITY: Operation involving handling, treatment, storage or disposal of hazardous waste on land owned by, or leased to, a waste producer, and which receives hazardous waste produced only by that producer. An operation

that occurs after waste is transported by commercial railroad, or on public waters or on a public road shall be considered an on-site operation only if the producer of the waste owns at least 90 percent of the linear site and the area where the hazardous wastes are generated are on the same continuous property.

Eligible On-Site Hazardous Waste Facilities shall be located within the industrial area as designated on the map in Appendix 6-D of the Los Angeles County Plan, and are subject to the provisions of Section 9-3-118.

**EMERGENCY SHELTER:** Shall mean any establishment operated by an Emergency Shelter Provider that provides homeless people with immediate, short-term housing for no more than six (6) months in a 12 month period, where no person is denied occupancy because of inability to pay. Emergency Shelters may also provide shelter residents with additional supportive services such as food, counseling, laundry, and access to other social programs. Emergency Shelters may have individual rooms and common areas for residents of the facility, but may not be developed with individual dwelling units, with the exception of a manager's unit.

**EMERGENCY SHELTER PROVIDER:** Shall mean a government agency or non-profit organization that provides emergency or temporary shelter, and which may also provide meals, counseling, and access to other social programs.

**EMERGENCY WORK:** Shall mean any work performed for the purpose of preventing or alleviating the physical trauma or property damage threatened or caused by an emergency, or work by private or public utilities when restoring utility services.

**EMPLOYER-SPONSORED CHILD CARE CENTER:** Means any facility as defined in Section 1596.771 of the California Health and Safety Code, and as amended from time to time.

**EQUESTRIAN RECREATION:** Means establishments that provide areas for riding or showing of horses, often including competitions, judging, and training. Typical uses include equestrian shows and riding lessons.

**EQUIPMENT RENTAL – HEAVY:** Means establishments that store and rent out industrial equipment, such as construction equipment and tractor-trailer trucks to the public. The business may include an outdoor storage area.

**EQUIPMENT RENTAL – LIGHT:** Means establishments that store and rent out a variety of household and/or business equipment. This use does not include the rental of industrial equipment such as construction equipment and tractor-trailer trucks, which is classified as "Equipment Rental - Heavy."

**EXTENDED CARE FACILITY:** Means a facility that provides medical, nursing, custodial, or hospice care for individuals over a prolonged period. Typical uses include convalescent homes, nursing homes, skilled nursing facilities, and hospice facilities.

**FACE OF BUILDING:** Shall mean the general outer surface of the main exterior wall of any building, not including cornices, bay windows and other ornamental trim.

**FAMILY:** Means a group of persons who maintain a single common household, but who

otherwise are not a ~~Residential Care Facility~~ Community Care Facility as defined herein.

**FAMILY DAY CARE HOME:** Means any facility as defined in Section 1596.78 of the California Health and Safety Code, and as amended from time to time.

**FARRIER/BLACKSMITH:** Means establishments that specialize in equine hoof care, including trimming and shoeing, and metalwork related to the fabrication and modification of horseshoes and related items.

**FINANCIAL SERVICES:** Means establishments that provide financial or banking services to consumers. Typical uses include banks, credit unions, and savings and loan associations.

**FLOOR AREA:** Means the total usable horizontal area of all the floors beneath the roof of a building.

**FLOOR AREA RATIO:** Means the ratio of the floor area of the buildings on a lot to the total area of the lot.

**FOOD SPECIALTY STORE:** Means an establishment engaged in the retail sale of specialty food items including, but not limited to: candy, cheese, coffee, confectionery items, dairy products, fruit, ice cream, meat products, nuts, or spices that has no seating on the premises. Merchandise must be prepackaged and involve no preparation or consumption onsite except for product sampling.

**FORTUNE-TELLING:** Shall mean and include telling of fortunes, forecasting of future events or furnishing of any information not otherwise obtainable by the ordinary process of knowledge, by means of any occult or psychic power, faculty or force, including, but not limited to clairvoyance, clairaudience, cartomancy, phrenology, spirits, tea leaves or other such reading, mediumship, seership, prophecy, astrology, palmistry, necromancy, mind-reading, telepathy, or other craft, art, cards, talisman, charm, potion, magnetism, magnetized article or substance, crystal gazing, or magic, of any kind or nature for any form of consideration.

**FREESTANDING WTF:** Means a wireless telecommunications facility with its support structure placed directly on the ground. Monopoles and self-supported or of lattice construction are examples of this type of structure. Building mounted antennas are excluded from this definition.

**FREIGHT TERMINAL/YARD:** Means establishments that provide for the loading, unloading and transfer of goods, and may include temporary storage of goods on-site.

**FUTURE STREET LINE:** Means the same as "Street Line, Future."

**GARAGE:** Means an accessory structure or a portion of a main building permanently roofed and enclosed on all sides, and which is designed or used for the shelter of motor vehicles.

**GENERAL PLAN:** Means the General Plan for the development of the City, adopted by the Board and Council.

**GOLF COURSE:** Means an area used for playing golf; including pitch-and-putt courses, but



not driving ranges or miniature golf courses.

**GRADE:** Means: (a) in R-1 and R-1-H Zones—the grade as defined in Section 10-1-603(C); (b) for structures in zones other than R-1 and R-1-H—the average elevation of the ground surface, prior to any construction, leveling, grading, or development associated with the current project, as calculated by adding the elevations of the corners of a lot and dividing by that number of corners. Buildable lots may be divided into two (2) or more portions. The grade for each lot portion shall be calculated as the average of the elevations of all corners of such lot portion. In the event a lot is sloped such that one (1) side of a building is higher than the other side, no portion of the building shall exceed by five (5) feet of the maximum height allowed in the zone. Each portion of the building shall be measured from grade immediately below that portion of the building.

**GROSS FLOOR AREA:** Means total horizontal area of all floors beneath the roof of the building.

**GUEST HOUSE:** Means the same as "Dwelling, Guest."

**GUEST ROOM:** Means a room without kitchen facilities which is designed to be occupied by one (1) or more guests.

~~**HEAVY EQUIPMENT RENTAL:** Means a business that stores and rents out industrial equipment, such as construction equipment, to the public. The business may include an outdoor storage area.~~

**HEAVY INDUSTRIAL MANUFACTURING:** Means establishments engaged in the basic processing or manufacture of products, predominantly from raw materials, with noticeable noise, odor, vibration, or air pollution effects across property lines; or a use or process engaged in the storage of or processes involving potentially or actually hazardous, explosive, flammable, radioactive or other commonly recognized hazardous materials.

**HEDGE:** Means vegetation that is grown or maintained in a manner that creates a physical barrier or otherwise functions in a manner consistent with a fence or wall.

**HELIPORT:** Means an area, either at ground level, or at elevation on a structure, that is designed for and used by helicopters; a heliport may include parking, fueling, maintenance, waiting rooms and other auxiliary facilities.

**HELISTOP:** Means an area, without auxiliary facilities either at ground level or at elevation on a structure that is designed for and used by helicopters.

**HIGHWAY:** Means a street which is shown on the General Plan for the City as a major or secondary arterial.

**HOLIDAYS:** Shall include any of the following legal holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Veterans Day, Thanksgiving and Christmas."

**HOLIDAY DECORATIONS:** Shall mean any sign, including displays and lighting, which is a nonpermanent installation customarily associated with any national, state, local or religious holiday or celebration, and which does not advertise a product or sale.



**HOME OCCUPATION:** Means an accessory use or activity of a business nature conducted on residential property by the occupants of the dwelling which use is clearly incidental and secondary to the use of the dwelling for dwelling purposes and does not change the character thereof.

**HOSPITAL:** ~~Means any facility which is maintained and operated for the diagnosis, care and treatment of human illness or sickness, including convalescence, and to which persons may be admitted for overnight stay or longer. Hospital includes sanitarium.~~ Means any facility which is maintained and operated for the diagnosis, care, and treatment of human illness or sickness, and to which persons may be admitted for overnight stay or longer.

~~**HOSPITAL, ANIMAL:** Means any facility where animals are given medical or surgical treatment.~~

**HOTEL/MOTEL:** Means a commercial establishment that provides guests with overnight accommodations in exchange for monetary compensation. Commercial uses, meeting areas, dining areas and other guest facilities that are open to both patrons and the general public may be included. Individual guest rooms may include cooking facilities.

~~**HOTEL:** Means a building, or portion thereof, containing public guest or dormitory rooms without cooking facilities, used or designed to be used by guests for compensation.~~

**HOUSE CAR:** Means a vehicle with motive power designed or used for human habitation, or a vehicle with motive power upon which a structure designed or used for human habitation or camping is permanently or temporarily mounted.

**INDUSTRIAL USE:** Means any use which is permitted by Sections 10-1-802 and 10-1-809 of this chapter.

**JUNK:** Means worn-out, scrapped or discarded articles or materials which are ready for destruction, salvage or conversion to some use; junk does not include any article or material which, unaltered or unchanged and without further reconditioning, can be used for its original purpose.

**JUNKYARD:** Means places of business primarily engaged in the storage, sale, dismantling or other processing of used or waste materials which are not intended for reuse in their original forms. Examples include salvage yards, junkyards, or paper salvage yards.

**KENNEL:** Means any lot, building, enclosure or premises (except an animal hospital) wherein four (4) or more dogs, cats or combination thereof, four (4) months of age or over, are kept.

**LANDSCAPING:** Means the planting and maintenance of some combination of trees, shrubs, vines, ground covers, flowers, or lawns, including natural features such as rock and stone, and structural features such as arbors, pergolas, fountains, reflecting pools, art works, screens, walls, fences and benches.

**LATE NIGHT HOURS:** Shall mean the time between midnight and 6:00 a.m.

**LATE NIGHT BUSINESS:** Shall mean a commercial or industrial use that receives and/or is open to patrons at any time during Late Night Hours.

**LATE NIGHT OPERATIONS:** Shall mean a commercial or industrial use that operates noise-

generating equipment, such as vehicles, machinery, pumps, refrigeration units on trucks, or motorized cleaning equipment, exposed to the exterior at any time during Late Night Hours. "Late Night Operations" shall not include the operation of equipment permanently attached to the building such as air conditioners. "Late Night Operations" shall not include deliveries if vehicles and other motors are not in operation during the delivery.

**LAUNDRY/DRY CLEANING SERVICES:** Means establishments that provide laundering and dry cleaning services, either on or off-site, and may only use non-petroleum solvents. May include related services such as tailoring. This use does not include self-service laundromats or pick-up/drop-off locations with no on-site cleaning equipment, which are classified under "Personal Services."

**LIGHT INDUSTRIAL MANUFACTURING:** Means establishments engaged in the manufacture or processing of products from previously prepared materials, including processing, fabrication, assembly, treatment, and packaging of such products, and incidental storage, sales, and distribution. These establishments are characterized by having no major external environmental effects across property lines. Examples include apparel, appliances, batteries, food and beverage products, machinery, pharmaceuticals, soda bottling, and toiletries.

**LOADING SPACE:** Means an off-street space or berth having access to a street or alley, on the same lot with a main building, or contiguous to a group of buildings, used for the temporary parking of commercial vehicles while loading or unloading.

**LOT:** Means a parcel of real property: 1) shown with a separate and distinct number on a subdivision tract map recorded with the County Recorder of Los Angeles County; or 2) the dimensions or boundaries of which are defined by a record of survey or parcel map so recorded pursuant to the provisions of the Subdivision Map Act of the State of California; or 3) registered under the Land Title Law (Torrens Title), and held under separate ownership from adjacent property on the effective date of the chapter; or 4) if not incompatible within the context in which the word "lot" is used, any portion of a lot or parcel of land, or any area commonly treated as a lot or parcel of land, upon which a use is permitted by this chapter. For the purpose of development standards as set forth in this chapter, a lot shall not include or extend into any area designated as a public street easement or right-of-way or alley easement or right-of-way.

**LOT AREA:** Means the same as "Area of Lot."

**LOT CORNER:** Means a lot situated at the intersection of two (2) or more streets.

**LOT DEPTH:** Means the average horizontal distance between the front and rear lot lines.

**LOT, INTERIOR:** Means any lot which is not a corner lot.

**LOT, KEY:** Means the first interior lot to the rear of a reversed corner lot.

**LOT, REVERSED CORNER:** Means a corner lot, the rear lot line of which abuts upon the side lot line of another lot.

**LOT, THROUGH:** Means a corner or interior lot which abuts on two (2) separate and substantially parallel public streets.

structure within the Media District and that is a replica of a movie, television or media character or production that is owned, controlled or produced by the business displaying such sign.

MINI-MALL: Means a shopping center which is less than one (1) acre in total net area.

MOBILE HOME (Manufactured home): Means a dwelling unit built in a factory in one (1) or more sections, transported over the highways to a permanent occupancy site, and installed on the site either with or without a permanent foundation.

MOBILE HOME PARK (defined in Section 10-1-301 of this Code).

MONOPOLE: Means a single unsupported pole, post, or similar structure that is used to support equipment associated with a commercial wireless telecommunications facility. This includes towers, flagpoles and mono-trees.

MORE RESTRICTIVE ZONING: Means that the M-2 Zone is the least restrictive and that the following zones are more restrictive in the order shown: M-1, C-4, C-3, C-2, C-1, R-5, R-4, R-3, R-2, R-1-H, R-1.

~~MOTEL: Means one (1) or more buildings with motor vehicle parking space conveniently located near each unit, containing individual sleeping units used temporarily by automobile tourists or transients.~~

MULTIFAMILY RESIDENTIAL ZONE or MULTIFAMILY ZONE: Means the same as Multiple family residential zone.

MULTIPLE FAMILY RESIDENTIAL ZONE or MULTIPLE FAMILY ZONE: Means the R-2, R-3, R-4, R-5, MDR-3, MDR-4, or MDR-5 zones.

MULTIPLE FAMILY ZONED PROPERTY or MULTIPLE FAMILY PROPERTY: Means a property with a multiple family zone designation.

NATURAL GRADE: Shall mean any vertical elevation or location of the ground surface prior to any construction, leveling, grading, or development associated with the current project.

NIGHTCLUB: Means an establishment which engages in the sale of alcoholic beverages in conjunction with dancing, regardless of whether or not such establishment is simultaneously offering full restaurant meal service.

NONCONFORMING BUILDING or STRUCTURE: Means a building or structure or portion thereof which was lawful when constructed but which does not conform to Zoning Ordinance requirements subsequently established.

NONCONFORMING LOT: Means a lot having less area, frontage, or dimensions than required in the zone in which it is located.

NONCONFORMING USE: Means a use of land/or building or structure, which was lawful when established including compliance with property development requirements but which does not conform to Zoning Ordinance use and property development requirements

subsequently established.

**NURSING HOME:** ~~Means the same as "Convalescent Home."~~ Means the same as "Extended Care Facility."

**OFFICES – BUSINESS OR PROFESSIONAL:** Means establishments that provide administrative, business, and other professional services. Typical uses include accountants, architecture and design offices, employment offices, legal offices, and real estate offices.

**OFFICES – MEDICAL:** Means establishments that provide medical testing (patients on site), diagnoses or routine outpatient care, but not prolonged in-house medical or surgical care. Typical uses include acupuncture, chiropractor offices, dental offices, doctors' offices, mental health care, optometrist offices, ophthalmologist offices, and urgent care facilities.

**OPEN SPACE:** Means an area not occupied by above-grade parking, refuse facilities, or above grade structures other than driveways, recreational amenities, and other yard encroachments authorized by this Chapter.

**PARCEL OF LAND:** Means a contiguous quantity of land in the possession of, owned by, or recorded as the property held by the same person.

**PARK & RECREATIONAL FACILITY:** Means a park, playground, or other recreational facility or open space which is owned and operated by the City of Burbank. Typical uses include parks, playgrounds, pool areas and sports courts. Other compatible facilities, such as community centers, libraries, museums, and senior centers may be integrated into a park or recreational facility.

**PARKING AREA or PARKING LOT:** Means a portion of a lot, parcel of land or structure designed and used for parking motor vehicles when not in use.

**PARKING SPACE:** Means an unobstructed space used for parking a motor vehicle.

**PAWN SHOP:** Means establishments that accept personal property as collateral for loans, and may resell such property to the public.

**PERFORMER:** Shall mean a person who is an employee or independent contractor of an adult business or any other person who, with or without any compensation or other form of consideration, provides adult live entertainment for patrons of an adult business.

**PERSONAL SERVICES:** Means establishments that provide non-medical services to individuals. Typical uses include barber and beauty shops, day spas, nail salons, photography services, seamstress shops, self-service laundromats, shoe shine shops, tanning salons, and tailors. These uses may also include accessory retail sales of products related to the services provided.

**PERSONAL OR PHYSICAL ARTS STUDIO:** Means a studio providing instructional services or facilities in a personal or physical art such as art, crafts, music, dance, acting, martial arts or fencing. Personal or Physical Arts Studio does not include a Rehearsal Studio or a School.

**PERSONAL WIRELESS TELECOMMUNICATIONS SERVICE:** Means commercial mobile

services, unlicensed wireless services, and common carrier wireless exchange access services.

**PERSONAL WIRELESS TELECOMMUNICATIONS SERVICE FACILITY:** Means a facility for the provision of personal wireless telecommunications services.

**PLANNED RESIDENTIAL DEVELOPMENT:** Means an area of land developed or proposed to be developed as a single entity for a number of separate dwellings, the plan for which does not completely meet the lot size, bulk or type of dwelling, density, or lot coverage requirements of any one of the residential zones included in the development.

**PLACES OF ASSEMBLY:** Means establishments that provide gathering spaces for public or private meetings, shows, parties, or other events. Typical uses include auction houses, auditoriums, banquet facilities, clubs, convention centers, places of worship, theaters (drive-in, indoor, and outdoor), and wedding chapels.

**PORCH:** Means an exterior appendage to a building or a recess into a building that forms a covered approach or vestibule to a doorway.

**PORTE-COCHERE:** Means a canopy attached to a residence, which is open on all sides, except where attached to a residence and which extends over a driveway used for the loading and unloading of vehicles, but which cannot be used to satisfy the off-street parking requirements of this chapter.

**POST-PRODUCTION SERVICES:** Means establishments that provide audio/video editing, mixing, and duplication. This use also includes stages for foley/sound effects production.

**PROFESSIONAL SUPPORT SERVICES:** Means establishments that provide delivery, maintenance, and other support services for offices and professional businesses. Typical uses include blueprinting shops, mail and parcel services, medical testing laboratories (no patients on site), messenger services, photocopying and printing services.

**PROPERTY LINE:** Means a description of the horizontal limits of a lot consisting of the front, side, and rear lot lines.

**PUBLIC FACILITY:** Shall mean roads, watershed areas, conservation, flood control, water supply, landfill facilities, and other public facilities owned and operated by the City of Burbank.

**PUBLIC AND PRIVATE EDUCATIONAL INSTITUTION:** Means any Public or Private School and/or Administrative Office of a Public or a Private School.

**PUBLIC PARK:** Means a park, playground, swimming pool, reservoir, golf course or athletic field within the City which is under the control, operation or management of the Parks and Recreation Department.

**PUBLIC UTILITY FACILITY:** Means a facility, including one (1) or more buildings operated with or without personnel, consisting of operating electrical and mechanical equipment necessary for the conduct of a public utility business. Public utility facility does not include a "personal wireless telecommunications service facility".

**RECREATIONAL VEHICLE:** Means travel trailers, pickup campers or coaches, motorized dwellings, tent trailers, boats and boat trailers, and similar vehicles.

**REGISTER OF HISTORIC RESOURCES:** Means the City of Burbank's official list of Resources that have been approved by the City Council as Designated Historic Resources. The City of Burbank's Register of Historic Resources includes all Resources that have been formally listed on the National Register of Historic Places, designated National Historic Landmarks, listed on the California Register of Historic Resources, designated California Historic Landmarks, or designated California Points of Historic Interest.

~~**REHEARSAL STUDIO:** Means a studio used for the rehearsal of music, dance or theater productions. Rehearsal Studio does not include a studio or facility that is within and incidental to a motion picture studio, broadcasting studio or recording studio that is maintained and equipped for making motion pictures, for the transmission of radio and television programs or for making audio recordings.~~

**RELIGIOUS INSTITUTION:** Shall mean a structure or facility that is used primarily for religious worship and related religious activities.

~~**REPAIR AND MAINTENANCE SERVICES – OFF-SITE:** Means establishments that provide repair services mainly at an off-site location, and may include incidental sales. Typical uses include appliance repair services, HVAC sales and repair services, janitorial services, and pest control.~~

~~**REPAIR AND MAINTENANCE SERVICES – ON-SITE:** Means establishments that provide repair services on the premises, and may include incidental sales. Typical uses include computer service centers, electronics repair services, fix-it shops, shoe repair shops, upholstery shops, and welding services. This use does not include auto repair, which is classified under "Vehicle-Related."~~

~~**RESEARCH AND DEVELOPMENT:** Means facilities for scientific research and the design, development, and testing of biological, chemical, electrical, pharmaceutical, telecommunications, or other components in advance of product manufacturing. Typical uses include experimental laboratories, pharmaceutical laboratories, and testing laboratories.~~

**RESIDENCE:** Means a building designed or used as a dwelling for one (1) or more families.

~~**RESIDENTIAL CARE HOME - RETIREMENT HOME:** Means a facility used primarily for the residential accommodation of persons of advanced years and others who require or desire assistance in their daily domiciliary activities. Means the same as "Extended Care Facility."~~

**RESIDENTIAL USE:** Means any use which is permitted by Sections 10-1-602 and 10-1-627 of this chapter; and includes Planned Residential Developments.

**RESIDENTIALLY ADJACENT:** Shall mean any commercially or industrially zoned property located within 150 feet of any residentially zoned property (measured at the two (2) properties' closest points).

**RESOURCE:** Means any publicly or privately owned property, parcel, lot, structure, building,



object, sign, landscape, or other natural or man-made area, feature, or improvement, or portion thereof.

**RESTAURANT/DRINKING ESTABLISHMENT:** Means a restaurant which serves alcohol and which does not have dancing and which does not have more than two (2) billiard tables, but does not meet both conditions 1 and 4 of the definition of "Restaurant with Incidental Alcohol".

**RESTAURANT, FAST SERVICE:** Means a restaurant where food is prepared on-site for consumption on-site via counter service. Table service is very limited.

**RESTAURANT, FULL SERVICE:** Means a restaurant where food is prepared on-site for consumption on-site via table service and less than 20 percent of the serving area is available for private party rental where access by the general public is restricted.

**RESTAURANT, WITH DRIVE-THROUGH:** Means any establishment which is engaged in the business of preparing and purveying food where provision is made for serving of food to patrons in vehicles for consumption at a separate location either on or off the premises.

**RESTAURANT WITH INCIDENTAL ALCOHOL:** Means a restaurant serving alcohol which also meets the following conditions: 1) at least 65 percent of the gross sales revenue of the establishment must be from food sales; 2) there is no dancing at the establishment; 3) there are no more than two (2) billiard tables at the establishment; and 4) any area of the establishment devoted primarily to the sales or consumption of alcohol shall not constitute more than 15 percent of the adjusted gross floor area of the establishment. In determining the floor area devoted primarily to the sales or consumption of alcohol, the City Planner shall consider the following factors: the layout and site plan of the establishment; the location and size of the bar; whether the size, placement and spacing of tables, stools, and booths indicate that the area is primarily devoted to the sales or consumption of alcohol; whether there is a wall or other separation in the establishment dividing an area primarily devoted to the sales or consumption of alcohol from the dining area; and whether or not full meals are served in the area.

**RETAIL SALES – GENERAL:** Means establishments that sell products for personal or household use that are not specifically listed under another use category. Typical uses include art galleries, art supply stores, bookstores, clothing stores, collectibles and antiques, department stores, drugstores, electronics, sporting goods and equipment stores, and pet stores. This may include incidental manufacturing of products sold on-site.

**RETAIL SALES – OUTDOOR:** Means any retail use where the display and sales of goods occurs mainly outdoors. Typical uses include lumberyards, plant nurseries, and yard décor. This use does not include auto dealers, which are classified under "Vehicle-Related."

**RETIREMENT HOME:** ~~Means a facility used primarily for the residential accommodation of persons of advanced years and others who require or desire assistance in their daily domiciliary activities.~~ Means the same as "Extended Care Facility."

**ROW HOUSE:** Means the same as "Town House."

**SCHOOL:** Means an establishment or facility used as an institution of learning for minors,



whether public or private, which offers instruction in those courses of study required by the State Education Code or which is maintained pursuant to standards set by the State Board of Education. This definition includes a child day care facility, kindergarten, elementary school, junior high school, senior high school or any special institution of learning under the jurisdiction of the State Department of Education, and a vocational or a professional institution. This definition also includes child day care facilities utilized at a school location which are licensed by the State Department of Social Services and the City of Burbank.

**SECONDHAND STORE:** Means retail establishments where the majority of merchandise for sale is secondhand or used. These establishments may also purchase secondhand or used merchandise. This use includes consignment shops and thrift stores, but does not include pawn shops or antique/collectibles shops.

**SECRETARY TO THE BOARD:** Means the City Planner of the City.

~~**SERVICE STATION:** Means a lot upon which there is a facility for the sale of gasoline, lubricating oil, minor accessories and minor services required by motor vehicles. Service station does not include any facility primarily devoted to sale of major auto accessories, sale or rebuilding of engines, battery manufacturing or rebuilding, radiator repair or steam cleaning, body repair, painting or upholstering, or car washing.~~

**SEXUAL ENCOUNTER ESTABLISHMENT:** Shall mean an establishment, including but not limited to private and commercial clubs or organizations, which for any form of consideration or gratuity, provides a place where two (2) or more persons may congregate, assemble or associate for the purpose of engaging in the following activities: 1) the fondling or other erotic touching of human genitals, pubic region, buttocks, anus or female breast; 2) sexual intercourse, oral copulation, sodomy, masturbation or ejaculation; 3) masochism, erotic or sexually oriented torture, beating, bondage or infliction of pain; or 4) exposing Specified Anatomical Areas. This definition does not include an establishment where a medical practitioner, psychologist, psychiatrist or similar professional person licensed by the State of California engages in sexual therapy as part of his or her State-licensed practice.

**SEXUALLY ORIENTED MERCHANDISE:** Shall mean sexually oriented implements, paraphernalia, or novelty items, such as, but not limited to: dildos, auto sucks, sexually oriented vibrators, benwa balls, inflatable orifices, anatomical balloons with orifices, simulated and battery operated vaginas, and similar sexually oriented devices which are designed or marketed primarily for the stimulation of human genital organs or sado-masochistic activity or distinguished or characterized by their emphasis on matter depicting, describing or relating to "specified sexual activities" or "specified anatomical areas."

**SHOPPING CENTER:** Means a unified complex with two (2) or more retail, sales, service, and/or restaurant tenants sharing common on-site pedestrian and parking facilities, whether located on one (1) or multiple lots or parcels and whether or not held under single ownership. The permitted and conditionally permitted uses within a shopping center shall be the same as those of the zone in which the shopping center is located, except in the Airport Zone where the permitted and conditionally permitted uses within the shopping center shall be those of the C-3 Commercial General Business Zone. A shopping center that is less than one (1) acre in total net area is a "mini-mall." For the purposes of this definition, coffee stands, snack bars, or other businesses that are part of and incidental to larger retail businesses shall not be counted as separate tenants.

structures and uses for the purpose of evaluating compliance with the applicable requirements of this chapter.

**SOBER LIVING FACILITY:** Shall mean a group home that provides a sober living environment for persons recovering from alcohol and/or drug abuse and has a meeting room used for assembly purposes, such as, but not limited to, Alcoholics Anonymous meetings. A Sober Living Facility is not a rehabilitation or alcoholic treatment center, and may have, but does not need to have, on-site resident managers. Unless required by State law, a Sober Living Facility need not be licensed or regulated by the State of California.

**SPECIFIED ANATOMICAL AREAS:** Shall mean and include any of the following:

1. Less than completely and opaquely covered, and/or simulated to be reasonably anatomically correct, even if completely and opaquely covered:
  - (i) human genitals, pubic region;
  - (ii) buttocks, anus; or
  - (iii) female breasts below a point immediately above the top of the areola; or
2. Human male genitals in a discernibly turgid state, even if completely or opaquely covered.

**SPECIFIED SEXUAL ACTIVITIES:** Shall mean and include any of the following, irrespective of whether performed directly or indirectly through clothing or other covering:

1. Human genitals in a state of sexual stimulation or arousal; and/or
2. Acts of human masturbation, sexual stimulation or arousal; and/or
3. Use of human or animal ejaculation, sodomy, oral copulation, coitus or masturbation; and/or
4. Masochism, erotic or sexually oriented torture, beating, or the infliction of pain, or bondage and/or restraints; and/or
5. Human excretion, urination, menstruation, vaginal or anal irrigation; and/or
6. Fondling or other erotic touching of human genitals, pubic region, buttock, or female breast.

**SPORTS ARENAS & FIELDS:** Means indoor or outdoor establishments, including temporary facilities, that provide venues for viewing sporting events. Typical uses include athletic fields, boxing arenas, and stadiums.

**STABLE:** Means an enclosed structure designed or used to shelter horses.

**STORAGE FACILITY, PUBLIC:** Means a structure or structures where members of the public may store and retrieve personal items. One (1) dwelling unit per facility is allowed for caretakers on the premises. Does not include automobile storage, which is classified separately.

**STORY:** Is that portion of a building between the upper surface of any floor and the upper surface of the floor next above, except that the topmost story shall be that portion of a

building included between the upper surface of the topmost floor and the ceiling above.

**STREET:** Means a public way which affords the principal means of access to abutting property, and which may include abutting curbs, parkways, and sidewalks.

**STREET LINE, FUTURE:** Means a line, established on property, parallel to an abutting street to which the street is proposed to be widened.

**STRUCTURAL ALTERATION:** Means a change to the supporting members of a structure, including walls, columns, beams or girders, floor or ceiling joists, roof rafters or diaphragms, foundations, piles, retaining walls, or similar members.

**STRUCTURE:** Means anything constructed or erected with a fixed location on the ground, or attached to something having a fixed location on the ground.

**STRUCTURE, ACCESSORY:** Means a structure detached from the main structure of which an accessory use is made.

**STRUCTURE HEIGHT:** Means Building Height, or as to any other structure the vertical distance measured from the grade to the highest elevation of the structure.

**STUDIO – BROADCASTING, RECORDING, OR REHEARSAL:** Means establishments that provide facilities for broadcasting, recording, and rehearsal for audio and video media. Typical uses include radio and television broadcasting and receiving studios, recording studios, and rehearsal spaces.

**STUDIO – MOTION PICTURE:** Means establishments that produce movies, television shows, or related media production, which may include post-production facilities, rehearsal studios, offices, commissaries, outdoor sets, sound stages, and other related facilities.

**TEMPORARY AID CENTER:** Shall mean any establishment that provides homeless and low-income people with short-term services, where no person is denied assistance because of inability to pay. Temporary Aid Centers provide supportive services such as food, clothing, counseling, laundry, and access to other social programs, but do not provide overnight shelter. This use does not include establishments that function as medical or professional offices and provide social services.

**TOWN HOUSE:** Means a dwelling used for a single family residence which abuts one (1) or more dwellings and is without side yards where so abutting.

**TRADE SCHOOL:** Means an institution offering instruction in a trade or vocation that is not of an academic or professional nature.

**TRAILER:** Means a vehicle, without motive power, designed or used for transporting property on its own structure and for being drawn by a motor vehicle, but not designed or used for human habitation.

**TRANSIENT:** Means a person who is receiving accommodations for compensation, with or without meals, for a period of not more than 90 continuous days in any one (1) year.

**UNLICENSED WIRELESS SERVICE:** Means the offering of telecommunications services

using duly authorized devices which do not require individual licenses, but does not mean the provision of direct-to-home satellite services.

USE: Means a purpose for which land or a structure is used.

USE, ACCESSORY: Means a use subordinate or incidental to the main use of a lot or structure.

VEHICLE DEALER – NEW AND USED: Means establishments which display and sell new and used vehicles. Typical uses include sales of automobiles, boats, mobile homes, motorcycles, recreational vehicles, trailers, and trucks, and may include incidental vehicle repair services. These establishments may also purchase used vehicles for the purpose of resale.

VEHICLE RENTAL: Means establishments that rent automobiles and trucks, including storage and incidental maintenance of vehicles. This use does not include the rental of construction-related vehicles such as bulldozers, cherry pickers, forklifts, skid loaders, and tractor-trailer trucks, which are classified under “Heavy Equipment Rental” in the Industrial and Manufacturing category.

VEHICLE SERVICE AND REPAIR: Means establishments that service and repair automobile mechanical and electrical systems. Typical uses include installation of auto parts and accessories, auto body and fender repair, auto detailing, automobile glass repair shops, mechanic garages, paint shops, and upholstery shops.

VEHICLE SERVICE STATION: Means establishments which sell gasoline, diesel, or alternative fuels such as natural gas, and which may also include incidental maintenance, repair, and towing services. This use does not include auto body or fender repair, painting, vehicle sales, or vehicle storage.

VEHICLE STORAGE YARD: Means establishments which store vehicles for purposes other than temporary parking. Typical uses include storage yards for auto dealership inventory, rental vehicle storage lots, and facilities where spaces are rented or leased by private vehicle owners. This use does not include parking lots or structures, which provide temporary parking and are classified separately.

WAREHOUSING AND STORAGE: ~~Means a building or facility used for storing materials and products. These facilities are not open to the general public.~~ Means a building or facility used for storing equipment, materials and products. These facilities are not open to the general public.

WHIP ANTENNA: Shall mean a pole or single element vertical antenna no more than three (3) inches in diameter.

WHOLESALE BUSINESS: Means establishments that sell products in large quantities for off-site consumption, distribution to other businesses, or to businesses and individuals for the purpose of resale.

WIRELESS TELECOMMUNICATIONS FACILITY (WTF): Means a commercial facility that transmits and/or receives electromagnetic or radio frequency waves, including, but not

limited to towers, antennas, monopoles, distributed antenna systems, support or accessory structures and related equipment. Amateur radio operators are not included in this definition. Includes related equipment, which is all equipment ancillary to the transmission